

BILL NO. 25 -2010

AN ORDINANCE

AMENDING CHAPTER 10 – HEALTH CODE OF
THE CITY OF READING CODIFIED ORDINANCES
SECTION 1212.03.1, REQUIRED, BY REQUIRING A FOOD EMPLOYEE
CERTIFICATE FOR ALL FOOD RESTAURANTS OR FACILITIES IN THE
CITY OF READING

WHEREAS, By Bill No 33- 2005 on May 9, 2005 the City of Reading through action of City Council adopted Chapter 46 of the Charter of the Pennsylvania Department of Agriculture as published by the Bureau of Food Safety and Laboratory Services, Division of Food Safety, December 13, 2003, commonly known as the Food Code.

WHEREAS, said ordinance provides for inspections of any sale of food, certification of inspectors, licensing fees and penalties for non-compliance.

WHEREAS, the City of Reading desires to remain consistent with the requirements under the Pennsylvania Food Code.

WHEREAS, the City of Reading wishes to require a Food Employee Certification similar to that imposed by the Pennsylvania Department of Agriculture.

NOW THEREFORE THE CITY OF READING HEREBY ORDAINS AS
FOLLOWS:

SECTION 1: Amending the City of Reading Codified Ordinances Section 10-1212.03.1 as follows:

§10-1212.03.1. Required

No person shall operate a restaurant or facility as set forth below in the City of Reading without a valid, ~~an~~ non-suspended / unrevoked, permit from the Health Officer *and a Food Employee Certification from the Department of Agriculture. New establishments will have 90 days to comply with said requirement; existing establishments which are not in compliance due to lack of current certification, employee turnover or other loss of certified person shall have 90 days from the effective date of this ordinance or the date of loss to comply.* The facilities and restaurants governed by and required to comply with this Ordinance including obtaining of a permit from the City of Reading Health Officer prior to and to continue operation thereof *as well as obtaining a Food Employee Certification* include but are not limited to:

SMALL RESTAURANT
LARGE RESTAURANT
ITINERANT RESTAURANT

I, LINDA A. KELLEHER, City Clerk of the City of Reading, Pa., do hereby certify, that the foregoing is a true and correct copy of the original Ordinance passed by the Council of the City of Reading, on the 10 day of May, A. D. 20 10. Witness my hand and seal of the said City this 10 day of May, A. D. 20 10.
CITY CLERK

ANCILLARY RESTAURANT
SMALL GROCERY
LARGE GROCERY
SUPERMARKET
ONE ITEM WHOLESALE
MULTI-ITEM WHOLESALE
SMALL PROCESSING
LARGE PROCESSING
VENDING MACHINE (enclosed)
VENDING MACHINE (public right of way)
MOBILE VENDING UNIT
CATERING/COMMISARY
BAKERY
DELICATESSEN

Several types of food facilities are exempt from complying with the Food Employee Certification under this chapter. Exempt facilities include:

- Food establishments where only commercially prepackaged food is handled and sold.
- Food establishments that do not handle potentially hazardous foods.
- Food manufacturing facilities engaged in the manufacture of pre-packaged non-potentially hazardous food.
- An organization classified as tax-exempt under Section 501(c) (3) of the Internal Revenue Code of 1986.
- Food establishments managed on a not-for-profit basis by a volunteer fire company or an ambulance, religious, charitable, fraternal, veterans, civic, agriculture fair or agricultural association or any separately chartered auxiliary of any of the above.
- A food establishment managed on a not-for-profit basis by organizations supporting extra-curricular recreational activities for youth of all public, private and parochial school systems. Examples: school booster clubs, Little League or Midget Football Associations.

SECTION 2: All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

SECTION 3: If any section, subsection, sentence or clause of this ordinance is held, for any reason, to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 4: This Ordinance shall become effective in ten (10) days, in accordance with Charter Section 219.

Enacted May 10, 2010

[Signature]
Council President

Attest:

[Signature]
City Clerk

Submitted to Mayor: [Signature]

Date: 5/11/10

Received by the Mayor's Office: [Signature]

Date: 5/11/10

Approved by Mayor: [Signature]

Date: 5/11/10

Vetoed by Mayor: _____

Date: _____